

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROY KELLNER,

Plaintiff,

v.

LAKEVIEW LOAN SERVICING, LLC, a
Delaware Limited Liability Company;
CENLAR FSB, d/b/a/ Central Loan
Administration & Reporting, a federally
chartered savings bank; and M&T BANK,
a New York banking corporation,
McCALLA RAYMER LEIBERT
PIERCE, LLC, an Illinois Limited
Liability Company,

Defendants.

Case No. 17-cv-04048

Hon. John Z. Lee

**JOINT MOTION FOR 60-DAY EXTENSION OF
TIME TO COMPLETE WRITTEN DISCOVERY**

Defendant, Cenlar FSB, (“Cenlar”), by its undersigned counsel, jointly with Plaintiff Roy Kellner (“Plaintiff”), Defendant Lakeview Loan Servicing, LLC (“Lakeview”), Defendant M&T Bank (“M&T”), and Defendant McCalla Raymer, Leibert, Pierce, LLC (“McCalla”) (collectively, the “Parties”) respectfully move this Honorable Court to extend written fact discovery to 60 days of entry of the Parties’ proposed Confidentiality Order. In support of this motion, the Parties state as follows:

1. On September 20, 2017, Plaintiff moved to amend and supplement his initial complaint to add a new claim, withdraw a claim, and add Defendant McCalla. [Dkt. 44]. That motion was granted and entered by this Court on September 22, 2017. [Dkt. 46].
2. On October 10, 2017, Cenlar filed a Motion to Dismiss Plaintiff’s First Amended Complaint. [Dkt. 56-57]. Thereinafter, on or about October 17, 2017, Defendants M&T Bank

and Lakeview also moved to dismiss Plaintiff's First Amended Complaint. [Dkt. 61-62]. Both motions are fully briefed and remain pending.

3. On October 19, 2017, this Court entered a scheduling Order providing for the closure of fact discovery on January 31, 2018. [Dkt. 66].

4. Thereafter, on November 14, 2017, Defendant McCalla filed and served an Answer to Plaintiff's First Amended Complaint. [Dkt. 74].

5. Cenlar, M&T Bank and Lakeview have responded to Plaintiff's discovery requests, however have withheld certain documents pending entry of a Protective Order.

6. Plaintiff has not yet responded to Defendants' discovery requests.

7. Pursuant to Local Rules 5.7, 5.8 and 26.2, the Parties have conferred and agreed upon a proposed Protective Order, which has been submitted to this Court for review and entry.

8. Additionally, the Parties have conferred and now seek an extension of time of sixty (60) days from entry of the Protective Order in order to complete fact discovery. The Parties also propose that each subsequent deadline set forth in the Court's October 19, 2017 Order be extended accordingly.

9. This motion is timely, as the litigation is in its infancy and the Motions to Dismiss filed on behalf of Cenlar, M&T Bank, and Lakeview have not yet been decided.

10. A short extension of time will enable the parties to finish the remaining fact discovery identified above.

Wherefore, for the above reasons, the Parties jointly request that this Honorable Court: a) extend the deadline for completion of fact discovery by sixty (60) days from the date of entry of the proposed Protective Order; b) extend oral and other discovery deadlines accordingly; and c) grant any other relief this Court deems just and proper.

Respectfully submitted:

Cenlar, FSB

By: /s/ Margaret M. Breeden
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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on February 22, 2018, she e-filed this document through the Court's CM/ECF system, which will cause a copy of the document to be served on counsel of record identified below.

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